



Republic of the Philippines
Department of Migrant Workers

Blas F. Ople Building, Ortigas Avenue cor. EDSA, Mandaluyong City 1550

Website: www.dmw.gov.ph | Email: feedback@dmw.gov.ph | Hotlines: 8722-1144, 8722-1159, 8724-6665, 8722-1163



MEMORANDUM CIRCULAR NO. 03

Series of 2024

TO : ALL CONCERNED

SUBJECT : Interim Guidelines in the Accreditation of Landbased Principals/Employers in selected countries of Europe through the Accreditation Support Desk (ASD)

Pursuant to Section 103, Rule I, Part III (Accreditation of Principals and Employers) of the 2023 Department of Migrant Workers Rules and Regulations Governing the Recruitment and Employment of Land-based Overseas Filipino Workers and Memorandum Circular No. 16, Series of 2022 delegating the power to accredit principals and employers to the Migrant Workers Office (MWO); and pending the forthcoming opening of the Migrant Workers Offices in Budapest, Hungary and Vienna-Austria, the interim guidelines in the grant of provisional accreditation/ registration of principals/ employers are hereby adopted, as follows:

I. *Scope and Coverage.*

This Interim Guidelines shall cover existing or prospective employers or principals with jobsites in:

Cluster A (MWO-Budapest): Hungary, Bosnia and Herzegovina, Bulgaria, Republic of Montenegro, Romania, Republic of Serbia, Republic of Moldova

Cluster B (MWO-Vienna): Austria, Croatia, Slovenia and Slovakia

Transactions covered are applications or requests for initial, additional and renewal of accreditation submitted to and received by the Accreditation Support Desk (ASD) of the Landbased Accreditation Bureau on or before **15 September 2024 for Cluster A**, and **30 September 2024 for Cluster B**. Thereafter, applications for accreditation shall be treated as new requests and thus will be cognizable by the concerned Migrant Workers Office (MWO).

II. *Requirements and Procedure for the grant of Provisional accreditation and registration.*

Subject to applicable provisions of the 2023 DMW Rules and Regulations and pertinent issuances governing the recruitment of land based overseas workers, applications for accreditation and registration of foreign employers in the foregoing jurisdictions may be submitted to the ASD of the Landbased

DEPARTMENT OF MIGRANT WORKERS
Administrative Service
General Services Division

RECEIVED

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Accreditation Bureau located at the 2nd Floor, DMW BFO Bldg. Mandaluyong City cor. EDSA.

1. Letter-requests from the principals/ employers addressed to the Pre-Employment Services Assistant Secretary, attention to: ASD must be accompanied with the original copies of the following documents:

Initial and Additional Provisional Accreditation

- a. Recruitment Agreement or Special Power of Attorney;
- b. Job Order or Manpower Request indicating the positions, number of positions required and net salary per position;
- c. Master Employment Contract signed on all pages by the principal or his/her authorized representative
- d. Valid commercial registration and business license of the principal issued and authenticated by the Chamber of Commerce or relevant government office
- e. Contingency Plan, as may be applicable.

Additional Requirements

For Foreign Placement Agencies

- a. Business license or valid commercial registration of the direct employer
- b. Master Employment Contract from the employer, signed jointly in all pages by the FPA and the actual employer or authorized representative
- c. Manpower Request from the employer
- d. Service Agreement between FPA and the client/ employer; and
- e. Video footages/ images of the establishment
- f. Undertaking by the FPA/Employers to monitor the employment of Overseas Filipino Workers and to submit a report of significant incidents relative thereto.

For Staffing Company

- a. List of names and address of the clients
- b. Manpower Request from the clients;
- c. Service Agreement between the company and its clients

Renewal of Accreditation:

Letter confirming the renewal of the accreditation signed by both the Foreign Employer and its partner licensed Philippine Recruitment Agency under the same terms and conditions as defined in their attached Recruitment Agreement (RA) or if there be any changes in their arrangement, an updated RA must be submitted. In case there are changes in the business particulars of the principal/ employer i.e. change in business name, authorized signatory/ representative, documentary proof of the same must also be appended to the letter request, along with an updated Business License/ Company Registration.



2. Evaluation of the documents submitted. Within seven (7) working days from receipt, the ASD will evaluate the completeness and sufficiency of the submitted documents. Only applications with complete documents will be scheduled for provisional accreditation. For parties, who could not appear physically, a virtual screening interviews may be conducted.

In case of incomplete documents or those applications with noted deficiencies, supplemental documents/ compliances could be sent to dedicated email address with the following details:

Cluster A: asd_budapest@dmw.gov.ph

Cluster B: asd_vienna@dmw.gov.ph

Email subject should also specify the type of transaction, jobsite and name of foreign employer for sorting and faster response.

Example: Initial_Romania_XY Company

3. Scheduling of hybrid or virtual screening interview with the authorized representatives of both the foreign employer and the recruitment agency for purposes of provisional accreditation.
4. Issuance of Provisional Accreditation Certificate by the Assistant Secretary, and provisional registration thereof in the DMW Landbased Accreditation Database.
5. The ASD shall provide the concerned MWOs copies of the Provisional Accreditation Certificates issued for further monitoring.

III. *No accreditation/ verification fee shall be collected.*

Considering that an Attestation Guidelines (for purposes of accreditation at the Landbased Accreditation Bureau) is yet to be formulated by the Department, and schedule of attestation fee has to be approved by the Bangko Sentral ng Pilipinas (BSP), applications for accreditation through attestation at the ASD-LAB is free of charge until further notice.

IV. *Validity of the Certificate of Provisional Accreditation/ Registration*

The Certificate of Provisional Accreditation issued during this interim period is valid for a period of six (6) months without extension unless sooner revoked for serious ground provided under the DMW Rules and Regulations; or duly endorsed for upgrading by the concerned MWO.



Provisionally accredited employers will also be allowed a maximum of fifty (50) Job Orders during the provisionary period.

V. *Upgrading of Provisional Accreditation/ Registration*

Provisional accreditation/ registration may be upgraded to full accreditation/ registration upon endorsement thereof by the concerned MWO prior to expiration.

VI. *Responsibilities and Liabilities of Provisionally accredited employers and their partner agencies.*

The principal/ employer and the licensed recruitment agency who were granted provisional accreditation/ registration shall have the same responsibilities, obligations and undertakings with that of the principals/ employers and the licensed recruitment agencies which were given regular accreditation in accordance with the DMW Rules and Regulations.

VII. *Coordination*

The ASD of the Land-Based Accreditation Bureau and the concerned Migrant Workers Office (MWO) are hereby directed to coordinate on matters concerning the implementation of this interim measure.

VIII. *Applicability and Effectivity*

These interim guidelines shall only apply to the aforementioned jobsites or jurisdictions.

All previous issuances inconsistent herewith are hereby amended accordingly.

This Circular shall take effect immediately.


HANS LEO J. CACDAC
ad Interim Secretary

08 August 2024

